

REMARKS

Claims 1-5, 7-12, 14-16 and 27-31 were pending in the present application prior to this response. Claims 27-31 are allowed. Claims 1-5, 7-12 and 14-16 are rejected. Claims 1 and 8 have been amended herein. Claims 6, 13, 17-26, and 32-56 have been canceled. Claims 57-69 are new and add no new matter to the application. Reconsideration of the rejections of all claims is requested.

I. Rejection of Claims 1-5, 7-12 and 14-16 Under 35 U.S.C. §112

Claims 1-5, 7-12 and 14-16 were rejected under 35 U.S.C. §112 due to the use of the term "may be." This term has been deleted from the claims. Therefore, the rejections have been overcome and the applicant requests reconsideration of the rejections.

II. Rejection of Claims 1-5, 7-12, and 14-16 Under 35 U.S.C. §103(a)

Claims 1-5, 7-12, and 14-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Olsen (U.S. 6,137,479).

CLAIM 1

Claim 1 is independent and is restated as follows:

An electronic device, comprising:
a display, wherein an image is displayable on said display; and
a navigation sensor, whereby a movement of said electronic device relative to a surface in close proximity to said navigation sensor is sensed by said navigation sensor and said movement includes moving said display and

Best Available Copy

said movement produces a change in said image that is showing on said display; and

a first button, whereby said movement of said electronic device and activation of said first button are operable in cooperation to mimic at least one function of a computer mouse being used with a graphical user interface.

In summary, claim 1 has been rejected over Olsen. However, there is no disclosure or suggestion in Olsen related to changes in images displayed on the display (34) and movement of the mouse (20). The applicant notes that the reference numerals of Fig. 1 in Olsen do not correspond to the reference numerals in the specification. Therefore, the applicant refers to the reference numerals of Fig. 2 with regard to the mouse (20). The reference numerals of the computer (22) of Fig. 1 correspond to the specification.

As briefly stated above, there is no disclosure in Olsen regarding movement of the mouse (20) causing a change in an image displayed on the display (34). The applicant notes that the only change of display caused by movement of the mouse (20) occurs on the display screen (26) of the computer (22). However, the computer (22) is a separate device. Therefore, movement of the mouse does not include "said movement includes moving said display" as claimed in claim 1. Thus, the cited references do not include all the elements of claim 1 and cannot render claim 1 obvious.

Olsen states that activation of switches on the keyboard (36) may cause an image displayed on the display (34) to change. However, with regard to movement of the mouse (20), the only images that change are images displayed on the display screen (26) of the computer (22). Examples of the use of the display (34) of Olsen are provided below. None of the cited portions of Olsen refer to changing an image on the display (34) based on movement of the mouse (20). The first example is provided at column 2, lines 2-5, which states:

Using a keypad and a display, the user controls the pointing device to perform programmed functions such as accessing information stored in the pointing device.

Thus, in Olsen, accessing information is based on using the keypad, not moving the mouse relative to a surface as claimed in claim 1. The second example is provided at column 2, lines 20-23, which states:

The pointing device also includes many of the features and functions found in a portable computer. A user operates the processor-based pointing device using the keypad and display.

Again, there is no disclosure in Olsen regarding movement of the mouse (20) causing displayed images to change. The third example is provided at column 2, lines 26-30, which states:

For example, the pointing device can be programmed as a personal organizer for addresses, phone numbers, appointments and other information. In this case, the user uses the keypad and display to access and modify information stored in the pointing device's data memory.

Once again, there is no disclosure related to using movement of the mouse (20) to cause a change in images displayed on the display (34). Rather, use of the keypad may cause displayed images to change.

The applicant notes that Olsen describes an embodiment of the mouse incorporated into a watch, Fig. 4. However, Olsen only discloses displaying time and the like on the watch display. Changes to the watch display are performed via a keypad, not by movement of the watch. An example of changing the display is provided at column 5, lines 56-61 as follows:

The microcontroller 58 processes signals from a keypad 66 to perform operations such as setting the time and changing the format of the time and date displayed on a display 60. The microcontroller 58 can be programmed to provide additional common watch features including a stop watch, a calendar or a calculator.

As with the other embodiments, there is no disclosure related to movement of the watch causing an image displayed on the display to change. Therefore, the Olsen does not disclose all the elements of claim 1 and cannot render claim 1 obvious.

Based on the foregoing, the applicant requests reconsideration of the rejection.

CLAIMS 2-5 AND 7

Claims 2-5 and 7 are dependent on claim 1 and are deemed allowable by way of their dependence and for other reasons. Therefore, the applicant requests reconsideration of the rejection.

CLAIM 8

Claim 8 is independent and recites the following:

An electronic device, comprising:

a display;

a navigation sensor coupled to said display whereby said navigation sensor detects a movement of said electronic device relative to a surface in close proximity to said navigation sensor and said movement includes movement of said display and an image displayed on said display is altered in response to said movement and;

a first button, whereby said movement of said electronic device and activation of said first button are operable in cooperation to mimic at least

one function of a computer mouse being used with a graphical user interface.

Claim 8 was rejected on the same grounds as claim 1. Therefore, the applicant incorporates the rebuttals to the rejection of claim 1 into this rebuttal.

As set forth above, Olsen does not disclose "an image displayed on said display is altered in response to said movement" as claimed in claim 8. The movement includes movement of the display.

Based on the foregoing, Olsen cannot render claim 8 obvious. The applicant requests reconsideration of the rejection.

CLAIMS 9-12 AND 14-16

Claims 9-12 and 14-16 are dependent on claim 8 and are deemed allowable by way of their dependence and for other reasons. Therefore, the applicant requests reconsideration of the rejection.

II. New Claims 57-69

Claims 57-69 reflect claims 32-56 that were cancelled in anticipation of allowance based on the previously issued advisory action. Claims 57-69 are deemed allowable.

In view of the above, all of the pending claims are now believed to be in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,
KLAAS, LAW, O'MEARA & MALKIN, P.C.

Dated: March 9, 2005

By:



Robert W. Nelson
Reg. No. 37,898
1999 Broadway, Suite 2225
Denver, CO 80202
Tel: (303) 298-9888
Fax: (303) 297-2266

Docket No. 10991692-1

13

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS.**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER: _____**

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.